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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention TRI-LEVEL INVERTER

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/658,804, filed on September 9, 2003,
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Sayeed Ahmed Citizen of: Bangladesh

Signature: [Signature] Date: 12th Jan, 04

Inventor two: Fred Flett Citizen of: United States

Signature: [Signature] Date: 12th Jan 04

Inventor three: Ajay V. Patwardhan Citizen of: India

Signature: [Signature] Date: 01/12/04

Inventor four: Douglas K. Maly Citizen of: United States

Signature: Douglas K. Maly Date: 12 JAN 04

☐ Additional inventors are being named on _____ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Please type a plus sign (+) inside this box →



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PTO/SB/81 (10-00)

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**ELECTION AND POWER OF
ATTORNEY OR
AUTHORIZATION OF AGENT**

Application Number	10/658,804
Filing Date	September 9, 2003
First Named Inventor	Sayeed Ahmed
Group Art Unit	
Examiner Name	
Attorney Docket Number	130209.508

I hereby appoint:

☒ Practitioners at Seed IP Law Group PLLC

OR

☐ Practitioner(s) named below:

Name	Registration Number

00500

PATENT TRADEMARK OFFICE

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ As assignee of record of the entire interest we hereby elect, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor.

SIGNATURE of Applicant or Assignee of Record

Name	Noordin S.K. Nanji – Corporate Secretary
Signature	
Date	January 5, 2004
Name	Fred Flett – Vice-President, Product Development
Signature	
Date	20th December 2003

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any Comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/96 (08-00)

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Sayeed Ahmed et al.

Application No./Patent No.: 10/658,804 Filed/Issue Date: September 9, 2003

Entitled: TRI-LEVEL INVERTER

Ballard Power Systems Corporation

(Name of Assignee)

a

Corporation

(Type of Assignee, e.g., corporation, partnership,
university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.
The assignment was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the
current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

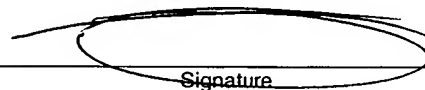
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be
submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records
of the USPTO. See MPEP 302.8]

The undersigned (whose titles are supplied below) are authorized to act on behalf of the assignee.

January 5, 2004
Date

Noordin S.K. Nanji

Typed or printed name



Signature

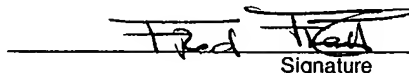
Corporate Secretary

Title

20th Dec 2003
Date

Fred Flett

Typed or printed name



Signature

Vice-President, Product Development

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.
Docket No. 130209.408

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ASSIGNMENT

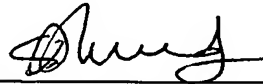
WHEREAS, we, Sayeed Ahmed, Fred Flett, Ajay V. Patwardhan and Douglas K. Maly (hereinafter referred to as ASSIGNORS), having mailing addresses of #201-5634 Fordham Circle, Canton, Michigan 48187; 4031 Pine Tree Trail, Bloomfield, Michigan 48302; 46213 Polo, Canton, Michigan 48187; and 870 Glenullin Drive, Canton, Michigan 48187, respectively, are the joint inventors of an invention entitled "TRI-LEVEL INVERTER," as described and claimed in the specification for which an application for United States letters patent was filed on September 9, 2003 and assigned Application No. 10/658,804;

WHEREAS, Ballard Power Systems Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of Delaware having a place of business at 15001 Commerce Drive North, Dearborn, Michigan, 48120, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United

States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

X 11/13/03
Date

X 
Sayeed Ahmed

State of X Michigan)

County of X Wayne)

ss.

I certify that I know or have satisfactory evidence that Sayeed Ahmed is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated December 12, 2003

Signature of Notary Public 

Printed Name Patricia Garrison

My appointment expires 1/23/06

Patricia Garrison
NOTARY PUBLIC WAYNE CO., MI
MY COMMISSION EXPIRES Jan 23, 2006

20th December 03
Date

~~Fred Flett~~
Fred Flett

State of M.I)

County of X Oakland)

ss.

I certify that I know or have satisfactory evidence that Fred Flett is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated 20 Dec 2003


Signature of Notary Public *Arthur J Chabon*

Printed Name Arthur J Chabon

My appointment expires Mar 24 2005

X 11/12/03
Date

Ajay V. Patwardhan
Ajay V. Patwardhan

 **ARTHUR J. CHABON**
Notary Public
State of Michigan
County of Oakland
My Commission Expires March 24, 2005

State of X Michigan)

County of X Wayne)

ss.

I certify that I know or have satisfactory evidence that Ajay V. Patwardhan is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated November 12, 2003

Signature of Notary Public *Patricia Garrison*

Printed Name Patricia Garrison

My appointment expires 1/23/06

PATRICIA GARRISON
NOTARY PUBLIC WAYNE CO., MI
MY COMMISSION EXPIRES Jan 23, 2006

X 12 NOV 03
Date

X Douglas K. Maly
Douglas K. Maly

State of MI)

County of X WAYNE)

ss.

I certify that I know or have satisfactory evidence that Douglas K. Maly is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated November 12, 2003

Signature of Notary Public [Signature]

Printed Name Artricia Garrison

My appointment expires 1/23/06

ARTRICIA GARRISON
NOTARY PUBLIC WAYNE CO., MI
MY COMMISSION EXPIRES Jan 23, 2006